

# **EXHIBIT B**

Volume III  
Pages 1-64

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. NO. 03-12551-NG

FRANK SACO, :  
Plaintiff, :  
 :  
vs. :  
 :  
TUG TUCANA and :  
TUG TUCANA CORPORATION, :  
Defendants. :

CONTINUED DEPOSITION of FRANK SACO, taken on behalf of the Defendants, pursuant to the applicable provisions of the Massachusetts Rules of Civil Procedure, before Barbara M. Montijo, a Registered Professional Reporter and Notary Public within and for the Commonwealth of Massachusetts, at the offices of Clinton & Muzzka, P.C., One Washington Mall, Boston, Massachusetts, on October 30, 2006, commencing at 2:00 p.m.

DUNN & GOUDREAU  
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ORIGINAL

1 A. 12-A Summer Street, Manchester, Mass.

2 Q. And that's been your residence throughout this  
3 proceeding, correct?

4 A. For three years now.

5 Q. How old are you today, sir?

6 A. Sixty-six.

7 Q. Now, do you live with anyone on Summer Street?

8 A. My mother stays with me.

9 Q. How old is your mother?

10 A. Ninety-four.

11 Q. And she's still in good health, sir?

12 A. Very good.

13 Q. Now, what is your mother's name, sir?

14 A. Thelma, T-H-E-L-M-A.

15 Q. Does anyone else reside with you, sir?

16 A. No.

17 Q. Does your mother contribute at all to the  
18 household expenses?

19 A. Yes.

20 Q. What does she contribute to the household  
21 expenses?

22 A. Half of my rent.

23 Q. Does she pay any utilities?

24 A. No.

1 Q. Does she pay for any food?

2 A. She buys a little bit on occasion, you know.

3 Q. When you say she contributes one-half of the  
4 rent, what's her source of income?

5 A. Social Security.

6 Q. Do you know how much she brings in per month?

7 A. I believe it's 1,201.

8 Q. And I believe in the papers your counsel filed  
9 with the court, it states that your rent per  
10 month on Summer Street is 962?

11 A. Correct. That is re-evaluated every year. So,  
12 it's in the process of that now. I'm sure it  
13 won't go down.

14 Q. At the moment, as of October 2006, it's 962?

15 A. Correct.

16 Q. Now, you mentioned in the papers that were  
17 filed with the court that you spend about \$5 per  
18 day in utilities. Can you tell me how that was  
19 calculated? If that's electric, what would that  
20 be -- does phone come under that? What else?  
21 Would cable or anything come under that?

22 A. I don't know. Utilities would be just electric,  
23 wouldn't it? The heat's included in my rent.

24 Q. So, the \$5 per day for utilities in the papers

1 that were submitted with the court pertain only  
2 to an electric bill?

3 A. Well, I can't remember back then what it  
4 pertained to, but my electric bill doesn't run  
5 that, but I was probably led to believe it was  
6 cable, phone, this and that. Those three things  
7 come to about, you know, 150 a month, 120,  
8 something like that.

9 Q. Now, in preparing that figure, did you actually  
10 review bills?

11 A. Huh?

12 Q. Did you actually review bills to come up with  
13 120 or 150 per month?

14 A. I think I was here and I didn't have access to  
15 it. So, I just tried to estimate as close as I  
16 could.

17 Q. So, this approximately 120 to 150 is an  
18 approximate?

19 A. An approximate, yes.

20 Q. Now, you mentioned your mother -- does she buy  
21 her own food?

22 A. No. She will go with my brother when she's out  
23 and he might buy a bottle of milk or a loaf of  
24 bread or something like that.

1 Q. Where does your brother live?

2 A. My brother lives -- he lives in Manchester. I'm  
3 trying to think of the name of the street. He  
4 lives about a mile away from me now.

5 Q. Does he support your mother at all?

6 A. No.

7 Q. What does your brother do for a living?

8 A. Very little.

9 Q. When you say "very little," what do you mean?

10 A. Odd jobs here and there with friends. He's on  
11 Social. He's 69 years old. Just put him down  
12 as a strange duck.

13 Q. Now, if I recall, you're collecting Social  
14 Security Disability as well, correct?

15 A. Correct.

16 Q. How much do you collect a month?

17 A. 735.

18 Q. When did you start collecting 735 a month?

19 A. Well, it goes up a little every year. I started  
20 collecting Social at 62, four years.

21 Q. So, the 735 started January of 2006?

22 A. Correct.

23 Q. Do you have any other income per month?

24 A. I do occasionally. My girlfriend might have a